

**CALENDAR ITEM
C68**

A	33	08/19/15 S 7845 W 26860 J. Porter W. Crunk
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**ACCEPTANCE OF CLEAR LIST FROM THE BUREAU OF LAND MANAGEMENT;
EXECUTION AND RECORDATION OF THE CERTIFICATE OF ACCEPTANCE
AND CONSENT TO RECORDING**

PARTIES:

State Lands Commission, acting as Trustee for the School Land Bank Fund

Bureau of Land Management

AREA, LAND TYPE, AND LOCATION:

43.75 acres, more or less, of vacant land located on the north side of Interstate 15 in the vicinity of L Street, city of Barstow, San Bernardino County.

BACKGROUND:

School lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244), and consisted of the 16th and 36th sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). In cases of preemption due to the exceptions described above, the State was given the opportunity to select replacement lands from the United States in lieu of a Section 16 or a Section 36. These replacement lands are now known as State indemnity school lands or lieu lands.

OTHER PERTINENT INFORMATION:

1. On July 15, 2014, the Bureau of Land Management (BLM) sent a letter to the State Lands Commission (SLC or Commission) notifying the Commission that certain federally-owned lands in the city of Barstow were being made available to the Commission for selection as State indemnity school lands. On August 21, 2014, the Executive Officer replied to the BLM, indicating the interest of the Commission in acquiring the lands. An indemnity lands selection application was submitted to the BLM by SLC staff on May 11, 2015.
2. The subject land consists of 43.75 acres, more or less, of which approximately 2.5 acres is a vacant residential lot and approximately

CALENDAR ITEM NO. C68 (CONT'D)

41.25 acres is vacant commercial land located within the Spanish Trail Specific Plan (Plan). The Plan is a redevelopment project proposed by the city of Barstow and approved by the City Council as part of the update to the City's General Plan in February 2015. Known as The Shoppes at Spanish Trail, this planned commercial development includes two hotels, several "big box" retail stores, various small retail shops, and several highway-commercial retail pads. The development is expected to provide an economic stimulus to the City by boosting the local employment base and increasing city tax revenues.

3. Staff has been working with City officials and the developers of the Plan regarding the future of the property after it is acquired by the Commission. Staff intends to pursue a course of action, subject to final authorization from the Commission, that will ensure the best possible financial returns to the CalSTRs and the School Land Bank Fund while also assisting in the success of the overall project.
4. The formal acceptance by the State of the federal lands is necessary for the recordation of the federal Clear List, which is the action in the indemnity selection process that vests title to the State. Staff is requesting authorization to accept and record the Clear List, subject to its issuance by the BLM.
5. The Commission will be acting as Trustee for the School Land Bank Fund, pursuant to the School Land Bank Act, Division 7.7 of the Public Resources Code for this transaction. The Trustee may acquire real property with the objective of facilitating management of school lands for the purpose of generating revenue. (Pub. Resources Code, §§ 8712 and 7405.1)
5. The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The project is exempt because it involves an action taken pursuant to the School Land Bank Act, Public Resources Code section 8700 et seq.

Authority: Public Resources Code sections 8710, 8712, and 7405.1.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C68** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a statutorily exempt project pursuant to Public Resources Code section 8710, an action taken pursuant to the School Land Bank Act, Public Resources Code section 8700 et seq.

AUTHORIZATION:

Authorize acceptance of a Clear List, subject to its issuance by the Bureau of Land Management; authorize the Executive Officer or her designee to execute the Certificate of Acceptance and Consent to Recording; and authorize the recordation of the Certificate of Acceptance and Consent to Recording in the County of San Bernardino, for the lands as described in Exhibit A and as shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof.

EXHIBIT A

W 26860

LAND DESCRIPTION

Those certain parcels of Federal Land situated in San Bernardino County, State of California, more particularly described as follows:

PARCEL 1

Lots 142, 152, 153, 163, 164, 165, 175, 176, 177, 185, 186, 187, 198, 199, 200, 207, 208, 209, 210, 216, 217, 218, 219, 220, 221, 228, 229, 230, 231, 232, 233, 242 and 243 of Section 11, Township 9 North, Range 2 West, San Bernardino Meridian, as shown on the Official U.S. Government Township Supplemental Plat accepted June 1, 1959.

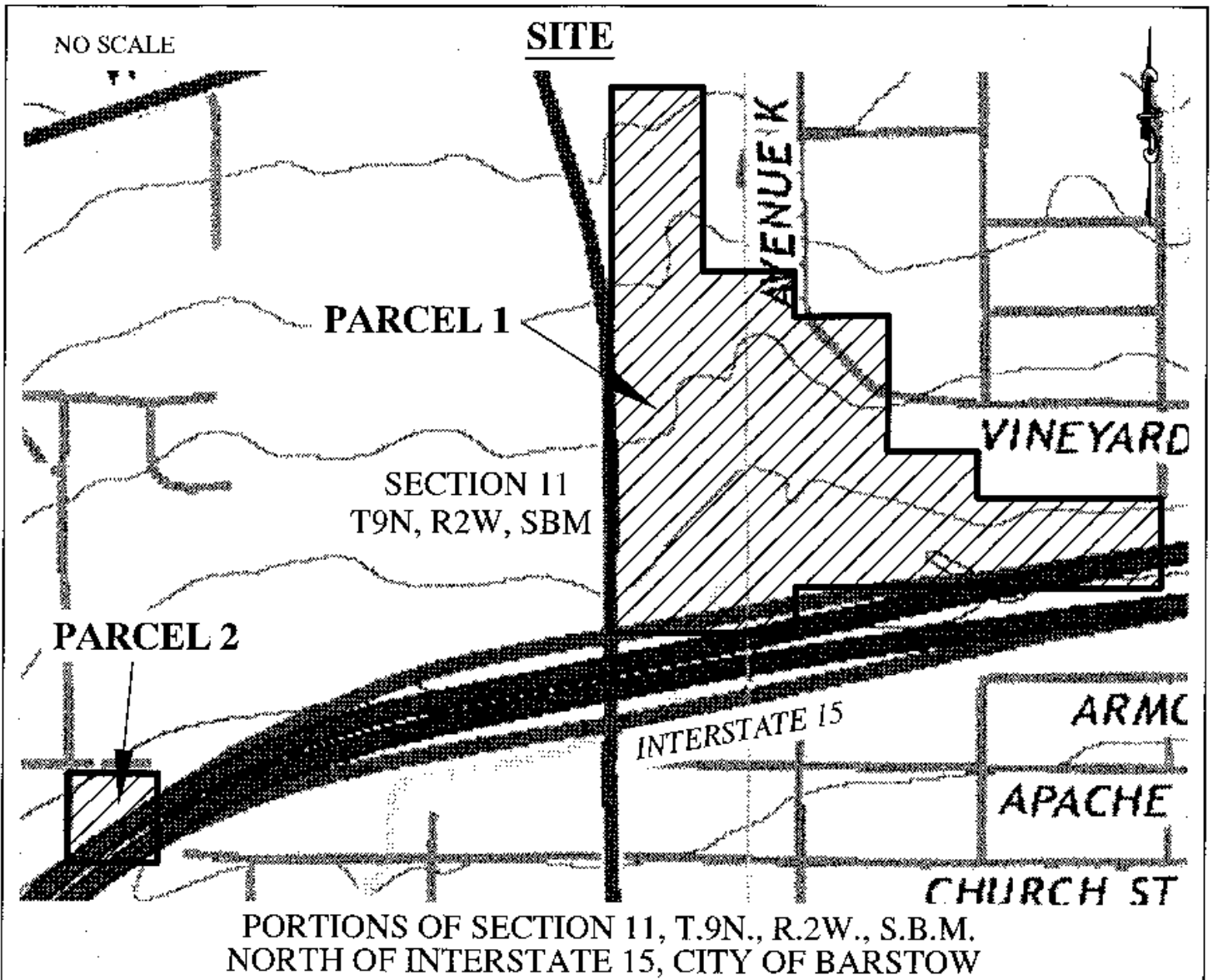
PARCEL 2

Lot 19 of Section 11, Township 9 North, Range 2 West, San Bernardino Meridian, as shown on the Official U.S. Government Township Supplemental Plat accepted June 1, 1959.

END OF DESCRIPTION

Prepared 07/27/2015 by the California State Lands Commission Boundary Unit.





MAP SOURCE: USGS QUAD

Exhibit B
W 26860
ACCEPTANCE OF CLEAR
LIST & CONSENT TO
RECORDING
SAN BERNARDINO
COUNTY



TS 07/27/15

This Exhibit is solely for purposes of generally defining the subject property, is based on unverified information provided by the other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.